



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 463 OF 2026

SHADUL RASHID MOMIN

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Appellant : Mr. Hashmi Ubaid S.
APP for Respondent No. 1 : Mr. S.R. Yadav-Lonikar

...

CORAM : ABHAY J. MANTRI, J.

DATE : 12TH JUNE, 2026

PER COURT :

1. Heard the learned Advocate for the Appellant and learned APP for the State and perused the record.
2. The Appellant, being dissatisfied with the order dated 07.05.2026, passed by the learned Additional Sessions Judge, Udgir, District Latur, in Criminal Bail Application No. 79/2026, thereby rejected the Bail Application filed by him in connection with Crime No. 98/2026, registered at Udgir City Police Station, Dist. Latur, for the offences punishable under Sections 115(2), 118(1), 189(2), 190, 191(2), 191(3), 351(2), 351(3) of the Bhartiya Nyaya Sanhita, 2023, and under Section 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, and under Section 135 of the Maharashtra Police Act, 1951, has preferred this Appeal.

3. Having heard the learned Advocate for Appellant and learned APP and gone through the First Information Report and record, at the outset, it appears that allegations against the accused person are vague and omnibus. The allegations against them were made in chorus and did not make specific allegations against the present Appellant that he has abused the Informant with a caste slur. Therefore, *prima facie*, in my view, the bar under Section 18 of the Atrocities Act does not arise while considering the Application for grant of pre-arrest bail.

4. Apart from that, this Court in Criminal Appeal No. 408/2026, filed by the co-accused against whom similar type of allegations were made in the FIR, has granted ad-interim bail by this Court. Therefore, learned Advocate for the Appellant submitted that, on the ground of parity, the Appellant is also entitled to ad-interim bail and, accordingly, urged his release on bail. He tendered the copy of the said order on record.

5. Having considered the above discussion as well as the facts of the case, in my view, the Appellant is entitled to ad-interim bail till the appearance of Respondent no. 2.

6. As such, **ad-interim relief is granted in terms of prayer clause 'B'**.

7. In the event of arrest of the Appellant, namely Shadul Rashid Momin, be released on bail in connection with Crime no. 98/2026, registered at Udgir City Police Station, Dist. Latur, for the offences punishable under Sections 115(2), 118(1), 189(2), 190, 191(2), 191(3), 351(2), 351(3) of the Bhartiya Nyaya Sanhita, 2023, and under Section 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, and under Section 135 of the Maharashtra Police Act, 1951, ***on furnishing PB and SB of Rs. 50,000/- [Rupees fifty thousand] with one solvent surety*** in the like amount till the appearance of Respondent no. 2 / Victim, on the following conditions:

i] The Appellant shall attend the concerned Police Station on 15.06.2026, between 11:00 a.m. and 01:00 p.m. and, thereafter, as and when called by the Investigating Officer till the next date.

ii] The Appellant shall not tamper with the prosecution evidence in any manner till the next date.

iii] The Appellant shall not leave India without prior permission of the Court till the next date.

8. Issue notice to the Respondents, returnable on **17.06.2026**.

Learned APP waives notice for Respondent no. 1.

9. Respondent No. 1 is directed to serve a copy of the notice on Respondent No. 2 by the returnable date.

(**ABHAY J. MANTRI, J.)**